

VILLAGE HALL
500 NE 87TH ST
EL PORTAL, FL 33138
JASON M. WALKER
VILLAGE MANAGER



MAYOR DAISY M. BLACK
VICE MAYOR LINDA MARCUS
COUNCILPERSON CLAUDIA V. CUBILLOS
COUNCILPERSON OMARR C. NICKERSON
COUNCILPERSON ADAM OLD

Regular Village Council Meeting
Tuesday, January 28, 2014
MINUTES
7:00 PM

A. CALL TO ORDER: Mayor Daisy Black, presiding, called the meeting for January 28, 2014 to order at 7:05 PM.

B. SILENT MEDITATION & PLEDGE: The Mayor asked all to stand for a moment of silent meditation followed by the Pledge of Allegiance.

C. ROLL CALL: Mayor Black asked the Interim Village Clerk, Carolina Montealegre, for a **Roll Call**.

Present: Mayor Daisy M. Black, Vice Mayor Linda Marcus, Councilperson Claudia V. Cubillos, Councilperson Adam Old, Village Manager Jason Walker (Not voting), Village Attorney Joseph Geller (Not voting, arrived after roll call), Interim Village Clerk (Not voting), and Chief Eugene Morales (Not voting).

Absent: Councilperson Omarr Nickerson

D. APPROVAL OF AGENDA: Mayor Black requested any additions or deletions to the agenda. Manager Jason Walker asked the Council if they would move Item G1 to G5. The Mayor and Council agreed. Councilperson Old made a motion to approve the agenda with amendments.

E. APPROVAL OF MINUTES FOR THE FOLLOWING MEETING:

E1. Minutes for November 19, 2013 Regular Council Meeting - The Mayor asked for a motion to approve the minutes as presented. Councilperson Cubillos made a motion and Councilperson Old seconded the motion. The motion passed by unanimous "aye" vote.

E2. Minutes for December 17, 2013 Regular Council Meeting – The Mayor asked for a motion to approve the minutes as presented. Councilperson Cubillos made a motion and Councilperson Old seconded the motion. The motion passed by unanimous "aye" vote.

F. ACKNOWLEDGMENT OF VISITORS AND/OR SPECIAL PRESENTATIONS:

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F1. Hugh Gladwin – Resident of El Portal who spoke about a plan for a shorter program for a Little River event. The event will be on Saturday, March 8th. It will start with a serenade at 8:30AM and end with lunch at 1:30PM. He briefly went over the events for the day and is asking for some financial support. He also mentioned that local artist, Joseph Vasile, and his students will have their “peace flags” installation displayed in the Rosa Parks Museum in Montgomery, AL. Councilperson Cubillos asked what he would need from the Council for that day. He proposed \$500 to defray costs. Marketing will be done through the Village Newsletter and all other Village communication points. Councilperson Old also asked for a proclamation for Mr. Vasile.

Councilperson Old made a **motion** to allocate \$1,000 in funding from the Public Affairs account for the March 8th Little River Cleanup event. A second was made by Vice Mayor Marcus. Motion **passed** by unanimous “aye” vote.

He also spoke about his meeting with the Water Management District about their future plans for the River and he feels it would affect the Village. He thinks that the Village will be in the evacuation zone, but is not sure because El Portal is in three different “evacuation study zones”. Water Management has declared this structure as high priority for repair. We will be affected by the sea level rise of two feet by 2016. He thinks we should use the event to inform others about the relationship with the River. Mr. Gladwin finished with a small background on the A.L.E. group that is now defunct. He wants to reach out to Villagers in order to regroup and asked all those present to assist with this effort.

Mayor Black congratulated Scott Chery, a resident of El Portal, for being recognized by the 5000 Role Models project for his efforts.

G. RESOLUTIONS / ORDINANCES:

G1. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2014-002

**Support for EQUAL RIGHTS
AMENDMENT**

Sponsor: Mayor Daisy Black

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF EL PORTAL, FLORIDA, IN SUPPORT OF
THE RATIFICATION BY THE FLORIDA LEGISLATURE
OF THE EQUAL RIGHTS AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES OF
AMERICA; PROVIDING FOR AN INCORPORATION OF
RECITALS; AND PROVIDING FOR AN EFFECTIVE
DATE.**

G1a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:28 PM and opened it up for public hearing. Hearing none, the

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regular meeting was reopened. The Mayor gave a history on why she is sponsoring this Resolution. She then requested a motion to approve the Resolution.

Motion: adopt Resolution No. 2014-002, **Action:** Adopt, **Moved** by Vice Mayor Marcus, **Seconded** by Councilperson Cubillos

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 4, No = 0).

Yes: Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black.

Absent: Councilperson Omarr Nickerson.

G2. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2014-003

**CONTRACT WITH G&V SHALOM TREE
CARE AND PROPER CUT TREE SERVICE**

Sponsor: Village Manager

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING EXECUTION OF THE URBAN AND COMMUNITY FORESTRY (U&CF) MEMORANDUM OF AGREEMENT FOR PROFESSIONAL ARBORIST SERVICES WITH G&V SHALOM TREE CARE AND PROPER CUT TREE SERVICE; AND AUTHORIZING THE VILLAGE MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; PROVIDING FOR INCORPORATION OF RECITALS; AND TO TAKE EFFECT IMMEDIATELY.

G2a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:30 PM and opened it up for public hearing. Hearing none, the regular meeting was reopened The Mayor requested a motion to approve the Resolution.

The Manager stated his reason for sponsoring this Resolution. The Urban Forestry Grant money we received wasn't sufficient for the bids received on a tree inventory. So, they repurposed the money to trim all trees on NE 87th ST and some other locations. Vice Mayor Marcus asked if we're going to add to this list. The Manager said that we could only really focus on NE 87TH ST because of funding.

Motion: adopt Resolution No. 2014-003, **Action:** Adopt, **Moved** by Councilperson Old, **Seconded** by Councilperson Cubillos

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 4, No = 0).

Yes: Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black.

Absent: Councilperson Omarr Nickerson.

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G3. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2014-004

**SIDEWALK IMPROVEMENT
HORIZON**

Sponsor: Village Manager

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT WITH HORIZON CONTRACTORS, INC. FOR THE INSTALLATION OF SIDEWALKS AND DRAINAGE IMPROVEMENTS; PROVIDING FOR AN INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

G3a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:34 PM and opened it up for public hearing.

G3a.1. Werner Dreher, 486 NE 87TH ST, El Portal – Brought up his own flooding concerns and asked for assistance. He passed out photos to the Council for their review. The Manager said that we are receiving funding in increments and that as soon as we receive enough, he will place this location at the top of the next list of areas. He added that the lobbyist item being presented tonight includes requesting for stormwater relief funds.

The Public Hearing was closed at 7:36 PM and the regular meeting was reopened. The Mayor requested a motion to approve the Resolution. Councilperson Cubillos asked the Clerk to amend the Resolution to reflect the correct address of 8780 and not 8720. Councilperson Old rescinded his motion and made another motion to adopt the Resolution with corrections.

Motion: adopt Resolution No. 2014-004 with corrections, **Action:** Adopt, **Moved** by Councilperson Adam Old, **Seconded** by Councilperson Claudia V. Cubillos

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 4, No = 0).

Yes: Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black.

Absent: Councilperson Omarr Nickerson.

G4. Mayor Black asked the Clerk to read the short title into the record.

RESOLUTION NO. 2014-005

**REDUCE GUN VIOLENCE AND
ILLEGAL FIREARMS TRAFFICKING
SUPPORT AMENDMENT**

Sponsor: Mayor Daisy Black

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA,

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OF MIAMI-DADE COUNTY, FLORIDA, SUPPORTING EFFORTS TO REDUCE GUN VIOLENCE AND ILLEGAL FIREARMS TRAFFICKING THROUGH MORE RESPONSIBLE GUN SALES AND MARKETING PRACTICES; DIRECTING THE VILLAGE MANAGER TO COORDINATE WITH THE CHIEF OF POLICE TO PARTNER WITH OTHER MUNICIPALITIES TO CREATE A COALITION IN SUPPORT OF THIS INITIATIVE AND TO WORK WITH GUN AND AMMUNITION SUPPLIERS TO ENCOURAGE THE CONSIDERATION OF SALES AND MARKETING SAFEGUARDS; DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO ALL SOUTH FLORIDA MUNICIPALITIES, THE FLORIDA LEAGUE OF CITIES, INC., ALL MEMBERS OF FLORIDA'S CONGRESSIONAL DELEGATION, AND TO THE OBAMA ADMINISTRATION; AND PROVIDING FOR AN INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

G4a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:39 PM and opened it up for public hearing.

G4a.1. Jorge Mursuli, Arms With Ethics – He represents the organization that is spearheading this initiative. He gave a brief background on why and how his organization plans to achieve their goals. He asks that the Council please consider passing this resolution in support of their mission. Vice Mayor Marcus asked if the Resolution asks the administration and the Police to coordinate in helping with this effort. He said that he started this initiative with Law Enforcement and asked them how they believe they could encourage other departments to have conversations with distributors (where they purchase their firearms from) on best practices for arms sales. Attorney Geller arrived for the record. Councilperson Old asked if would be available to go over best practices on how to accomplish this goal.

G4a.2. Hugh Gladwin, 420 NE 86th ST, El Portal – He really likes the language and is in support of the way this resolution was written.

The Public Hearing was closed at 7:46 PM and the regular meeting was reopened. The Mayor requested a motion to approve the Resolution.

Motion: adopt Resolution No. 2014-005, **Action:** Adopt, **Moved** by Councilperson Old, **Seconded** by Vice Mayor Marcus

Vote: Motion carried by unanimous roll call vote. (**summary:** Yes = 4, No = 0).

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Yes: Councilperson Adam Old, Councilperson Claudia V. Cubillos, Vice Mayor Linda Marcus, Mayor Daisy M Black.

Absent: Councilperson Omarr Nickerson.

G5. Due to the blanks in the Resolution, the Mayor wants to discuss the proposals. Attorney Geller stated that the proposal he presented was scheduled to start in January and now it won't start until February, so the new amount is \$12,500 for five months. The Mayor asked how long the contract will be for and he replied that it would be through the end of June. She asked if anyone else had something to present. The Manager said that Eli Nortelus was in Tallahassee and he could not be there but someone else will be presenting from his firm. Mr. David Fifer from Akerman Senterfitt said he would answer any questions the Council may have. A general discussion between the Village Attorney, Mr. Fifer and the Council was had. The total will be \$10,000 for Akerman Senterfitt and \$12,500 for the Greenspoon Marder proposal for the session through the end of June.

G5a. Public Hearing (Public Comment 2 minutes/person) The Mayor closed the regular meeting at 7:55 PM and opened it up for public hearing. Hearing none she closed the Public Hearing and resumed the regular meeting. The Mayor requested a motion to approve the hiring of a lobbyist firm.

Councilperson Cubillos made a motion to hire Akerman Senterfitt for 2014 lobbying services. The motion was seconded by Councilperson Old. The Mayor asked the clerk to read the Resolution short title into the record.

Mayor Black asks the Clerk to read the short title into the record.

RESOLUTION NO. 2014-001

LOBBYIST AGREEMENT

Sponsor: Mayor & Council

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE APPOINTMENT OF Akerman Senterfitt . TO PROVIDE LOBBYISTS SERVICES FOR THE VILLAGE OF EL PORTAL; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH Akerman Senterfitt, FOR STATE LOBBYING SERVICES IN AN AMOUNT NOT TO EXCEED \$10,000; PROVIDING FOR AN INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: to approve Resolution No. 2014-001, **Action:** approve, **Moved by** Councilperson Cubillos, **Seconded by** Vice Mayor Linda Marcus.

Vote: Motion failed. (**summary:** Yes = 2, No = 2).

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Yes: Councilperson Claudia V. Cubillos, Councilperson Adam Old, **No:** Vice Mayor Linda Marcus, Mayor Daisy M Black.

Absent: Councilperson Omarr Nickerson

Mayor Black asks the Clerk to read the short title into the record.

RESOLUTION NO. 2014-001

LOBBYIST AGREEMENT

Sponsor: Mayor & Council

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AUTHORIZING THE APPOINTMENT OF Greenspoon Marder, P.A. . TO PROVIDE LOBBYISTS SERVICES FOR THE VILLAGE OF EL PORTAL; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH Greenspoon Marder, P.A., FOR STATE LOBBYING SERVICES IN AN AMOUNT NOT TO EXCEED \$12,500; PROVIDING FOR AN INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

More discussion was had.

Motion: to approve Resolution No. 2014-001, **Action:** approve, **Moved by** Vice Mayor Marcus **Seconded by** Mayor Black.

Vote: Motion passed by roll call vote. (**summary:** Yes = 3, No = 1).

Yes: Councilperson Adam Old, Vice Mayor Linda Marcus, Mayor Daisy M Black, **No:** Councilperson Claudia V. Cubillos.

Absent: Councilperson Omarr Nickerson

H. REPORTS OF THE VILLAGE MANAGER, MAYOR & COMMITTEE CHAIRS:

H1. Village Manager Reports – Manager Jason Walker

- a. Annexation – Going for first reading on February 2nd.
- b. Tot lot – Electrical permit approval will be given tomorrow.
- c. Stormwater – Phase VI has been approved and is going out for bid for the construction contract.

H2. Village Attorney Reports – Attorney Joseph Geller had nothing to report.

H3. Committee Chair Reports -

- a. **Public Affairs** – Chairperson Claudia V Cubillos – Councilperson Cubillos reminded the Council about the Newsletter deadline of 2/12/14.
- b. **Public Works** - Chairperson Adam Old – Finished PhVI tot lot quotes
- c. **Public Safety** - Chairperson Daisy M. Black –

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CCW meeting on 2/26/14.

- d. Code Enforcement Committee** - Chairperson Omarr Nickerson – Councilperson Old gave update on trailer park.
- e. Planning & Zoning** - Chairperson Daisy M. Black – She said the Manager covered this in his report.
- f. Administration & Finance** - Chairperson Linda Marcus – Budget hearing dates will be scheduled.

H4. Village Mayor Reports - Mayor Daisy Black – None.

I. UNFINISHED BUSINESS AND GENERAL ORDERS:

II. Council and Committee Meeting Calendar 2014 (FINAL)

I2. Elections Laws and etc....

J. NEW BUSINESS: None.

K. GOOD AND WELFARE: None.

L. ADJOURNMENT: Mayor & Council - **Motion:** motion to Adjourn, **Action:** Adjourn, **Moved by** Vice Mayor Linda Marcus, **Seconded by** Councilperson Claudia Cubillos. Motion passed unanimously. Meeting Adjourned at 8:30 PM.

of members in audience: 8

To listen to the full recording of the January Regular Council Meeting, you can click on the link below and download it for your convenience. The link may expire at any time. If you are experiencing difficulty accessing the file, please email your request to the Clerk's office at cmontealegre@villageofelportal.org.